

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

June 17, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, June 17, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, Katnich, and
McCarty (Mayor)

Absent: Councilmen - Murphy and Pinkerton

Also

Present: City Manager Glaves, Assistant City
Manager Glenn, Public Works Director
Ronsko, Community Development Director
Schroeder, City Attorney Stein, and
City Clerk Reimche

INVOCATION

The invocation was given by Reverend Ed Sorensen,
English Oaks Seventh-Day Adventist Church.

PLEDGE

At the introduction of Mayor McCarty, Boy Scout
Phillip Hollingsworth of Troop 296 led the
pledge of allegiance to the flag.

PLANNING
COMMISSION
REPORT -
JUNE 8, 1981
MEETING

The following items of interest pertaining to
the Planning Commission meeting of June 8, 1981
were presented for Council's information:

The Planning Commission -

ITEMS OF
INTEREST

CC-35

1. Approved the request of Baumbach and Piazza,
Consulting Engineers, on behalf of Morris
Kirst for a Tentative Parcel Map to divide
30 West Walnut Street and 111 South Pleasant
Avenue into two lots in an area zoned R-C-P,
Residential-Commercial-Professional.
2. Approved the request of R.P. Weldum Associates,
Inc., Consulting Engineers, on behalf of
Sanguinetti and Arnaiz Development Company for
a Tentative Parcel Map to reparcel Lot B
of the Mokelumne Village Commercial Center into
three lots on the north side of East Turner
Road, west of State Route 99 in an area
zoned C-S, Commercial Shopping.
3. Denied the request of Joy Wallace for a Variance
to reduce the required rear yard from 10 feet
to 6 feet 6 inches to permit an addition to
an existing dwelling at 246 North Mills
Avenue in an area zoned R-2, Single-Family
Residential.
4. Denied the request of Robert Morris and Larry
Wenell for a Variance to further reduce the
required off-street parking to permit
conversion of a garage into office space at
301 West Locust Street in an area zoned
R-C-P, Residential-Commercial-Professional.
5. Approved the request of Marthel, Inc., by
Mr. Jerry Jones for a Use Permit to construct
a 136 bed convalescent hospital at 900 North
Church Street (i.e. portion of Sanguinetti
Park Subdivision) in an area zoned P-D(17),
Planned Development District No. 17.

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6. Determined that the need for privacy constituted the basis for a Zoning Hardship and approved the request of Mike Schnabel on behalf of Dr. I. M. Hayes to increase the maximum fence height from 3½ feet to 6 feet around an existing patio in a street side yard area at 2221 Aladdin Way in an area zoned P-D(6), Planned Development District No. 6.
7. Determined that the request would be of district benefit to the neighborhood and of Kelly Sues on behalf of Lodi Nut Company, Inc., for a Variance to replace an existing non-conforming warehouse with a new storage building at 1206 South Fairmont Avenue in an area zoned R-1, Single-Family Residential.
8. Conditionally approved the request of Jeffrey Lopardo for a Use Permit for a commercial recreation operation (i.e. electronic games) at 114 North School Street in an area zoned C-2, General Commercial.
9. Approved the request of Guarantee Savings and Loan for a Use Permit for a branch office at 1300 West Kettleman Lane in an area zoned P-D(15), Planned Development District No. 15.
10. Extended for 18 months (i.e. December 1982) the Use Permit granted to Holz Rubber Company for temporary portable offices at 1129 South Sacramento Street in an area zoned M-2, Heavy Industrial.

COMMUNICATIONS
(CITY CLERK)

PUC
APPLICATIONS

City Clerk Reimche presented a letter which had been received from Pacific Gas and Electric Company giving notice that in PUC Application No. 60609, it has requested authorization under its Gas Adjustment Clause to revise its gas service tariff effective July 1, 1981, to reflect gas costs and to amortize the Gas Cost Balance Account undercollection.

City Clerk Reimche also presented a letter which had been received from Pacific Gas and Electric Company giving notice that in PUC Application No. 60616 it has requested authorization to increase its electric rates and charges to reflect energy costs, including the Energy Cost Adjustment account undercollection effective August 1, 1981.

THANK YOU
LETTER
RECEIVED FROM
FORMER HOSTAGE

Mrs. Reimche presented a letter which had been received from L. Bruce Laingen, former hostage in Iran, thanking Council for its expression of support and commendation in the form of a Proclamation which was sent to all of the former hostages.

ABC LICENSE

An application for Alcoholic Beverage License for Elizabeth R. and Russell A. Montgomery, El Papagallo, 1030 Victor Road - D, Lodi, for On-Sale Beer and Wine Eating Place was presented for Council's perusal.

CHECK RECEIVED
FROM OLD LODI
HIGH SCHOOL
SITE FOUNDATION
COMMITTEE

Sheri Mallory, Treasurer of the Old Lodi High School Site Foundation Committee, presented the Council with a check in the amount of \$1,019.00.

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LETTER RECEIVED
FROM LODI LIFE
AND TIMES

CC-16

City Clerk Reimche presented a letter which had been received from Stephen J. Mann, Publisher, Lodi Life and Times, addressing Councilman Katnich's comments made during the June 3, 1981 Council Meeting regarding Mayor McCarty.

APPEALS SET
FOR PUBLIC
HEARING

CC-33

On motion of Councilman Katnich, Hughes second, Council set for Public Hearing on July 1, 1981 at 8:00 p.m., the appeal of Joy Wallace of the denial by the Lodi Planning Commission for a variance for a reduced rear yard at 246 N. Mills Avenue, Lodi.

On motion of Councilman Katnich, McCarty second, Council set for Public Hearing on July 1, 1981 at 8:00 p.m. the appeal of Morris and Wenell of the denial by the Lodi Planning Commission for a variance permit for reduced parking at 301 West Locust Street, Lodi.

COMMENTS BY
CITY COUNCILMEN

Mayor McCarty commended the Elk Club and the Emblem Club for their Flag Day recognition.

REPORTS OF
THE CITY
MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Katnich, Hughes second, were approved.

* * * * *

CLAIMS

MINUTES

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,986,528.25.

THE MINUTES OF MAY 20, 1981 WERE APPROVED AS WRITTEN.

PLANS AND
SPECIFICATIONS
FOR CHURCH
STREET
IMPROVEMENTS
APPROVED

CC-43

The Plans and Specifications for "Church Street, Lockeford Street to Turner Road" were presented for Council's approval. Council was apprised that, in general, the work consists of reconstructing approximately 2800 lineal feet of street, including replacement of curb, gutter and sidewalk, catch basins, storm drain laterals, street lights and miscellaneous and incidental work.

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "CHURCH STREET IMPROVEMENTS, LOCKEFORD STREET TO TURNER ROAD" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

SPECS APPROVED
FOR ASPHALT
MATERIAL

CC-47

COUNCIL APPROVED THE SPECIFICATIONS FOR ASPHALT MATERIAL FOR THE FIRST QUARTER OF F.Y. 1982 AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

SPECS APPROVED
FOR ROCK & SAND
MATERIAL

CC-47

COUNCIL APPROVED THE SPECIFICATIONS FOR ROCK AND SAND MATERIAL FOR F.Y. 1982 AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

COUNCIL APPROVED
SALE OF AERIAL
TRUCK

CC-42

COUNCIL APPROVED THE SALE OF THE 1970 CHEVROLET TRUCK EQUIPPED WITH AN AERIAL LIFT TREE TRIMMING BUCKET AT A MINIMUM BID PRICE OF \$13,000, AND AUTHORIZED THE PURCHASING AGENT TO ADVERTISE FOR BIDS THEREON.

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RESOLUTION
ENDORING PASSAGE
OF FORAN BILL RE
NEED TO INCREASE
STATEWIDE
TRANSPORTATION
FUNDS

Following recommendation of Staff, Council adopted the following resolution:

RESOLUTION NO. 81-70

RESOLUTION ENDORSING PASSAGE OF THE FORAN BILL -
SB 215 RE NEED TO INCREASE STATEWIDE TRANSPORTA-
TION FUNDS

RES. NO. 81-70

RENEWAL OF
CONTRACT OF
LANDSCAPED AREAS
WITHIN THE CITY
OF LODI

Council was apprised that Jim's Gardening Service has been maintaining various City landscape areas since July, 1979. In July, 1980, the City renewed the contract at an increase of 3.2%. The City has recently received a quote from Jim's Gardening Service to maintain the existing areas for the next fiscal year at an annual cost of \$30,162.00, which is an increase of 7.8%.

COUNCIL APPROVED AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY THE RENEWAL OF THE LANDSCAPE MAINTENANCE CONTRACT TO JIM'S GARDENING SERVICE, LODI, CALIFORNIA, FOR THE 1981-82 FISCAL YEAR IN THE AMOUNT HERETOFORE SET FORTH.

SPECIAL ELECTION
AUGUST 25, 1981

Council adopted the following resolutions pertaining to the Special Election ordered by the Council to be held August 25, 1981:

RES. NO. 81-71

RESOLUTION NO. 81-71

RES. NO. 81-72

RESOLUTION ORDERING THE CANVASS OF THE AUGUST 25, 1981 SPECIAL ELECTION TO BE MADE BY THE CITY CLERK PRIOR TO THE FIRST TUESDAY AFTER THE ELECTION.

RESOLUTION NO. 81-72

RESOLUTION ESTABLISHING CITY HALL AS THE OFFICIAL ELECTION RETURN CENTER FOR THE AUGUST 25, 1981 SPECIAL ELECTION

SWIMMING FEES
AMENDED

RES. NO. 81-73

City Manager Graves introduced agenda item "k" - "Proposed change in swimming ticket fees and policies". Council was then apprised that in the past the City of Lodi, for the purpose of giving families an opportunity to swim at reduced rates, instigated a family and single ticket type of program. Prices were set at \$20 for a family ticket, regardless of how many people were in the immediate family, and \$10 for a single ticket. This would allow the user to use any one of four facilities at Blakely Pool, Tokay High Pool, Lodi High Pool, and Lodi Lake. The City has known for many years that this program has been abused by the ticket purchaser. Staff recommended that the fees be amended by selling books of tickets with 20 swim tickets for youths (age 16 and under) at \$3.50 and books of tickets with 20 swim tickets for \$7.50 (approximately 90 days).

A lengthy discussion followed with questions being directed to the City Manager and to Mr. Ed DeBenedetti who was present in the audience. City Clerk Reimche presented a letter from Patricia A. Hanks, 1325 Deerfield Court, Lodi, asking that Council reconsider the proposed rate increase

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and provide a swimming pass affordable to all people.

Following additional discussion, on motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 81-73 establishing amended swimming fees as heretofore set forth.

BIDS REJECTED FOR
CITY OF LODI
TRANSIT SERVICE

11-500

Agenda item "l" entitled, "Discussion and appropriate action regarding proposals received for City of Lodi Transit Service", was introduced by Assistant City Manager Glenn. Following discussion with questions being directed to Staff, Council, on motion of Councilman Hughes, McCarty second, rejected bids received for City of Lodi Transit Service and directed the Mayor and Assistant City Manager to continue discussions with City Cab Company to develop an extended type of Dial-A-Ride service, which proposal will be brought back to Council when it is developed.

EAST SIDE
WINERY
REORGANIZATION
AND DETACHMENT

RES. NO. 81-74

11-500

Agenda item "m" - "East Side Winery Reorganization and Detachment from the Mokelumne Rural Fire District" was introduced by Community Development Director Schroeder who presented diagrams of the subject area. Speaking on behalf of the proposed annexation was Mr. Ben Schaffer, 600 Connie Street, Lodi.

Following discussion with questions being directed to Staff and to Mr. Schaffer, Council, on motion of Councilman Katnich, McCarty second, adopted Resolution No. 81-74, approving the application to LAFCO of the East Side Winery Reorganization and detachment from the Mokelumne Rural Fire District. The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich and McCarty

Noes: Councilmen - None

Absent: Councilmen - Murphy and Pinkerton

CHURCH OF JESUS
CHRIST OF
LATTER-DAY SAINTS
REORGANIZATION
AND DETACHMENT

RES. NO. 81-75

11-500

Agenda item "n" - "Church of Jesus Christ of Latter-Day Saints (LDS) Reorganization and Detachment from the Woodbridge Rural Fire Protection District and the Woodbridge Irrigation District", was introduced by Community Development Director Schroeder who presented diagrams of the subject area.

Speaking on behalf of the proposed annexation was James O. Beus, Attorney, representing the Church of Jesus Christ of Latter-Day Saints, 311 E. Main Street, #520, Stockton, California.

A lengthy discussion followed, including the topic of who will bear the cost of utility extension including the eventual extension of Century Boulevard.

On motion of Councilman Katnich, Hughes second, Council certified the Negative Declaration for Church of Jesus Christ of Latter-Day Saints Reorganization.

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On motion of Councilman Katnich, Hughes second, Council adopted Resolution No. 81-75 approving the application to LAFCO of the Church of Jesus Christ of Latter-Day Saints (LDS) reorganization and detachment from the Woodbridge Rural Fire Protection District and the Woodbridge Irrigation District with the understanding that utility extension costs, including streets, are to be borne by the developers. The motion carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, and McCarty

Noes: Councilmen - None

Absent: Councilmen - Murphy and Pinkerton

TOWNE
REORGANIZATION
NO. 2
REORGANIZATION &
DETACHMENT

RES. NO. 81-76

Agenda item "o" - Towne Reorganization No. 2 and detachment from the Woodbridge Irrigation District, Woodbridge Fire Protection District, and the Water User's Conservation District" was introduced by Community Development Director Schroeder who also presented diagrams of the subject area.

City Clerk Reimche presented a letter which had been received from Mr. and Mrs. Wilbert Ruhl protesting the negative declaration on the Burton Towne property which stated in part that "while a negative declaration may appear to be adequate since this is only an annexation, we feel that a full EIR should be made because of future impact. This annexation is the beginning of an irreversible action. The only purpose of this annexation is for future development and any type of development will have a severe effect on the environment. A full EIR should be made at this time". Council was apprised that the present zoning is San Joaquin County I-PA and GA-1 and the proposed zoning would be U-H, Unclassified Holding. Mr. Schroeder indicated that agricultural land does not require an EIR.

Following Council discussion, on motion of Councilman Hughes, Katnich second, Council certified the Negative Declaration for Request of Burton Towne Reorganization.

On motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 81-76 approving the Application to LAFCO of the Towne Reorganization No. 2 and Detachment from the Woodbridge Irrigation District, Woodbridge Fire Protection District and the Water User's Conservation District.

STOCKTON STREET
ALIGNMENT

Council was apprised that in checking with the Local Assistant Office of the Department of Transportation, they indicated that the Federal Highway Administration took the position that public hearings should not be held on a portion of the alignment of Stockton Street until the Environmental Assessment (EIR) on Stockton Street has been approved for circulation. City Staff has determined that by checking with FHWA that if the City did proceed with the alignment hearing prior to their approval, we could jeopardize the City's FAU funding on the Stockton Street Project. The Local Assistant Office felt it would be a minimum of one month before the

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City received comments on the Environmental Assessment or approval to circulate.

Following discussion, Council, on motion of Councilman Katnich, Hughes second, asked that the matter be tabled for a period of 30 to 60 days, and directed the City Clerk to apprise Mr. and Mrs. Robert Vetter of this action.

COUNCIL DEFERS
ACTION ON AGENDA
ITEM RE
AGREEMENTS WITH
STATE ON
RAILROAD
CROSSING
PROTECTION ON
MAIN,
SACRAMENTO, AND
STOCKTON STREETS

Following introduction of agenda item "q" - "Approve Agreements with State of California on Railroad Crossing Protection on Main, Sacramento and Stockton Streets" and a lengthy discussion, with the tacit concurrence of the City Council, the matter was deferred to the regular Council meeting of July 1, 1981.

COUNCIL VOTES
NOT TO PLACE
MEASURE ON
BALLOT AS
TO WHETHER THE
MAYOR SHOULD BE
ELECTED OR NOT

Following introduction of the matter and Council discussion, Council, on motion of Councilman Katnich, Hughes second, voted not to place on the ballot for the Special Election for August 25, 1981, the following measure:

"Shall the electors elect a mayor and four city Councilmen?"

"Shall the term of office of mayor be two years?"

"Shall the term of office of mayor be four years?"

The motion carried by the following vote:

Ayes: Councilmen - Hughes and Katnich

Noes: Councilmen - McCarty

Absent: Councilmen - Pinkerton and Murphy

REQUEST FOR
REFUSE RATE
INCREASE

Council was apprised by Assistant City Manager Glenn that the City had received a request from Sanitary City Disposal Company for a refuse rate increase. The City is presently conferring with Sanitary City regarding the matter. Following a brief discussion, Mayor McCarty reappointed the former Refuse Rate Review Committee comprised of Councilman James Pinkerton, Mayor Pro Tempore Murphy and Assistant City Manager Jerry Glenn to review the proposal and report back to Council on its recommendations.

CONTRACT
APPROVED FOR
ANNUAL AUDIT

Council, on motion of Councilman Katnich, Hughes second, authorized the retaining of the firm of Ernst and Whinney pursuant to the provisions and fees, including Revenue Sharing Compliance Audit, outlined in their June 5, 1981 letter to perform the annual audit at a total cost not to exceed \$15,400. with the understanding that this audit will be performed in a timely manner. Council further directed Staff to seek a new auditing firm to perform the audit for F.Y 1981-82.

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RESOLUTION RE
APPROPRIATION
OF OPERATING
RESERVE FUND

RES. NO. 81-77

Assistant City Manager Jerry Glenn apprised the Council that due to expenditure underruns and revenue overruns, the City will have a year-end balance of \$793,805. These funds are included in the budget presented to Council at the May 20, 1981 regular meeting, to be used to fund next year's operations. In order to properly account for these monies, it is sound policy to appropriate these funds into an emergency operating reserve. This will take care of year-end uncertainties and comply with Proposition 4 which permits reasonable and proper reserves.

On motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 81-77 - Resolution for the appropriations of Funds to Operating Reserves.

AWARD - CONTRACT
TO APPLY CLASS
II SLURRY SEAL
TO CITY STREETS

RES. NO. 81-78

City Manager Graves presented the following bids which had been received to apply Class II Slurry Seal to City Streets:

BIDDER

AMOUNT

California Pavement Maintenance \$8,216.33

Bay Area Sealers, Inc. \$9,243.59

Valley Slurry Seal Co., Inc. \$10,373.81

On recommendation of the City Manager, Council on motion of Councilman Katnich, McCarty second, adopted Resolution No. 81-78 awarding the contract to apply Class II Slurry Seal to California Pavement Maintenance Company in the amount of \$8,216.33.

AWARD -
THREE-PHASE
PADMOUNT
TRANSFORMER

RES. NO. 81-79

Council was apprised that the following bids had been received for a three-phase padmount transformer to replace the failing unit at Lodi High School:

Supplier - General Electric Supply Co.

"A" Price w/tax \$ 9,540.00

"B" Cost of Losses \$ 7,082.00

"A" + "B" Life-Cycle Cost \$16,622.00

Estimated Delivery (weeks) 14-16

Comments Does not meet
City Specifications

Supplier - RTE Corporation

"A" Price w/tax \$ 8,453.50

"B" Cost of Losses \$ 8,381.50

"A" + "B" Life-Cycle Cost \$16,835.00

Estimated Delivery (weeks) 11-12

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Supplier - Westinghouse Elec. Supply Co.

"A" Price w/tax	\$14,149.94
"B" Cost of Losses	\$ 6,725.00
"A" + "B" Life-Cycle Cost	\$20,874.94
Estimated Delivery (weeks)	17

Supplier - Kuhlman Electric Co.

"A" Price w/tax	\$13,960.20
"B" Cost of Losses	\$7,775.00
"A" + "B" Life-Cycle Cost	\$21,735.20
Estimated Delivery (weeks)	12-13

Supplier - Valley Electric Co.

"A" Price w/tax	\$13,546.80
"B" Cost of Losses	\$10,525.00
"A" + "B" Life-Cycle Cost	\$24,071.80
Estimated Delivery (weeks)	10-12

On motion of Councilman Katnich, Hughes second, Council adopted Resolution No. 81-79 awarding the bid for one 750 KVA, three-phase padmount transformer to replace the failing unit at Lodi High School to RTE Corporation in the amount of \$8,453.50, the lowest bidder meeting City specifications.

ACTION DEFERRED
ON AGENDA ITEM
"X" 1981-82
BUDGET
PRESENTATION

With the tacit concurrence of the City Council, Council deferred consideration and action on this agenda item to the next meeting of the Council.

RESOLUTION
APPROVING NCPA
SERVICE SCHEDULE
P.G.&E
INTERRUPTIBLE
TRANSMISSION
SERVICE CONTRACT
RES. NO. 81-80

Following introduction of the matter by City Manager Graves, on motion of Councilman Hughes, Katnich second, Council adopted Resolution No. 81-80 approving NCPA Service Schedule P.G.&E. NCPA Interruptible Transmission Service Contract and authorizing the Mayor and City Clerk to execute the document on behalf of the City.

ORDINANCES

AUTHORIZING
NCPA TO ISSUE
REVENUE BONDS
NCPA PROJECT
NO. I

ORD. NO. 1228
ADOPTED

Ordinance No. 1228 entitled, "Ordinance Authorizing the Northern California Power Agency to issue Revenue Bonds (NCPA Project No. 1 - Development Fund Bonds) having been introduced at a regular meeting of the City Council held June 3, 1981 was brought up for passage on motion of Councilman Hughes, Katnich second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted and ordered to print by the following vote:

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Ayes: Councilmen - Hughes, Katnich, and McCarty

Noes: Councilmen - None

Absent: Councilmen - Murphy and Pinkerton

AUTHORIZING
NCPA TO ISSUE
REVENUE BONDS
SHELL EAST
BLOCK PROJECT
SECOND PHASE
BONDS

ORD. NO. 1229
ADOPTED

Ordinance No. 1229 entitled, "Ordinance Authorizing the Northern California Power Agency to issue Revenue Bonds (Shell East Block Project Second Phase Bonds) having been introduced at a regular meeting held June 3, 1981 was brought up for passage on motion of Councilman Hughes, Katnich second. Second reading was omitted after reading by title, and the Ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, and McCarty

Noes: Councilmen - None

Absent: Councilmen - Murphy and Pinkerton

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 10:00 p.m.

Attest:

Alice M. Reimche
ALICE M. REIMCHE
City Clerk